

REMARKS

This application has been carefully reviewed in light of the Office Action dated June 2, 2009. Claims 1 to 4 and 11, 13 to 16 and 20 remain pending in the application, of which Claims 1, 11, 13, 15 and 20 are independent. Reconsideration and further examination are respectfully requested.

Applicant wishes to thank the Examiner that the amendments to the specification are acceptable to incorporate by reference the subject matter referenced therein. The Examiner indicated, however, that a further response is needed to explain how the referenced subject matter provides the requisite support for the disclosed switching device or switching means. As a result, the Office Action indicated that the rejections of Claims 1 to 4, 11, 13 to 16 and 20 under 35 U.S.C. § 112, first paragraph are retained.

The subject matter incorporated by reference is from U.S. Patent No. 7,123,614. In the '614 patent, Fig. 3a diagrammatically represents a communications device (i.e., a communication node). Fig. 3a of the '614 patent corresponds to Fig. 2 of the present application. Fig. 26 of the '614 patent diagrammatically represents a switching unit incorporated into a communications device in order to form a switched network. Fig. 21 to 25 are tables and flowcharts used for data transmission over the switched network.

The transmission of audio-visual data is performed in stream mode (see present application, page 19, lines 16-18: "*Figure 9 describes the format of the packets transferred in stream mode representing audio-visual data going from the source host to the destination host*"). The stream mode is also known as "connected mode". It corresponds to an isochronous stream (see present application, page 19, lines 18-20). In the '614 patent, Fig. 11 describes a way to establish a connection used for isochronous-

packet transfer in stream mode via the switched network. Fig. 22 describes the flowchart used for sending packets in stream mode.

Messages are transferred in packets in a non-connected mode (see present application, page 13, lines 6-8: "*packets constituting a message transmitted in non-connected mode and for the connection protocol packets*"). The non-connected mode corresponds to asynchronous data. In the '614 patent, Fig. 22 represents a flowchart used for sending packets in the message mode.

Therefore, is unambiguous that the seek signal is a message transferred in non-connected mode, as described in the '614 patent, and that a person having ordinary skill in the art is able to implement a packet switched network as described in the '614 patent to which the present application refers, particularly because the figures describing the architecture are identical in the '614 patent and the present application. Accordingly, it is submitted that, taking the properly incorporated subject matter into consideration with regard to the switching device, those skilled in the art would be able to readily make and use the invention and therefore, the requirements of 35 U.S.C. §112, first paragraph are satisfied. In view of the foregoing, reconsideration and withdrawal of the § 112 rejections are respectfully requested.

Claims 1 to 4, 11, 13 to 16 and 20 were rejected under 35 U.S.C. § 102(b) over "IRC-38 Infrared Receiver Product Information" (IRC-38). The rejections are traversed.

The invention seeks host devices on a sub-network that are to be actuated using a remote control. In the invention, when a user utilizes a search function of the remote control to seek a host device connected to a distant node, a local node transmits a

first seek signal to the distant node, where the first seek signal includes information about first technical characteristics of the host to be actuated. The distant node identifies a host and provides the local node with the result. If the found host is not the host to be actuated, the local node transmits a second seek signal with second technical characteristics. This process continues until the proper host has been found, after which commands are provided to actuate the host.

Referring specifically to the claims, Claim 1 is directed to a method of managing a communication network comprising a sub-network having communication nodes interconnected by links conveying digital signals, and a plurality of hosts, the hosts being able to exchange data via the sub-network, the communication nodes comprising data and control interfaces for exchanging data and operating commands with hosts to which the communication nodes are connected, the method comprising the steps of transmitting a first seek signal from a local communication node to a distant communication node of the sub-network, the first seek signal containing information representing first technical characteristics of a host to be actuated, the transmission of the first seek signal being performed in accordance with instructions from a remote control, and identifying a candidate host, that is connected to the distant communication node and that has technical characteristics compatible with the technical characteristics contained in the first seek signal, wherein, if the candidate host is not the host to be actuated, a second seek signal is transmitted from the local communication node, the second seek signal containing second technical characteristics, the transmission of the second seek signal being performed in accordance with instructions from a remote control, whereas, if the host

is the host to be actuated, operating commands are sent to the candidate host by means of the control interface of the distant communication node.

Claim 11 is a computer medium claim that substantially corresponds to Claim 1, while Claim 13 is directed to the distant node and Claim 15 is directed to the local node in relation to method Claim 1.

The applied art of IRC-38 is not seen to teach the features of the invention. Specifically, Applicant fails to see any disclosure in IRC-38 with regard to a seek signal or search message, or transmission of a second seek signal if the candidate host is not the host to be actuated, or that a couple of hosts are put into communication after being determined.

IRC-38 is seen to teach a way to recognize the type of infrared code structures (Sony, NEC, RC5) so that those infrared codes are converted into the appropriate output signals, capable of actuating the device to be controlled. IRC-38 discloses, in that context, an example where the infrared receiver recognizes Sony's "power on" command signal and thus converts the code to the appropriate output signal (see, page 1).

The Office Action alleges that IRC-38 teaches that "The IRC-38 Infrared Receiver receives infrared codes from a source remote control ...". To continue with the entire teaching, the document specifically states: "The IRC-38 Infrared Receiver receives infrared codes from a source remote control and converts them to output signals (ASCII, for serial communication and binary on/off signals for TTL communication)." The Office Action alleged that this simple statement teaches the entirety of "transmitting a first seek signal from a local communication node to a distant communication node of the sub-network, said first seek signal containing information representing first technical characteristics of a host to be actuated, the transmission of the first seek signal being

performed in accordance with instructions from a remote control”. Applicant wholly disagrees. Specifically, there quite simply is not suggestion at all that the infrared codes are a seek signal in the context as claimed. There is also no teaching or suggestion that the first seek signal is transmitted from a local node to a distant node of a sub-network. Thus, the assertions of the Office Action are traversed.

The Office Action also alleges that IRC-38 teaches the claimed features of “identifying a candidate host, that is connected to said distant communication node and that has technical characteristics compatible with the technical characteristics contained in the first seek signal, wherein, if said candidate host is not the host to be actuated, a second seek signal is transmitted from the local communication node, said second seek signal containing second technical characteristics, the transmission of the second seek signal being performed in accordance with instructions from a remote control, whereas, if said host is the host to be actuated, operating commands are sent to said candidate host by means of the control interface of the distant communication node.” Here, the Office Action cites the following disclosure of IRC-38. (“The IRC-38 Infrared Receiver allows an infrared remote control ... to control equipment ... the IRC-38 Infrared Receiver receives infrared codes from a source remote control and converts them to output signals ... Now also available with off the shelf code set which recognizes Sony, NEC, and RC5 infrared code structures ... so you can use almost any remote to control it. For example, if it sees a Sony Power On ...”) Quite simply, reading this disclosure, it could not be any clearer that what is being taught is the recognition of different infrared signal structures to use any remote to control a single device. What is NOT taught at all is the identifying a candidate host node, and if the host is not a host to be actuated, sending out a second seek signal.

Thus, the anticipation rejections of the claims over IRC-38 are tedious, at best, since IRC-38 simply fails to teach many of the features of the claims, even if they are given their broadest possible interpretation. Accordingly, the rejections are traversed and the Examiner is requested to reconsider and withdraw the rejections.

REQUEST FOR INTERVIEW

Applicant notes that Applicant's undersigned representative telephoned the Examiner on September 22 to request an interview to discuss the foregoing, but the Examiner did not return that call. Accordingly, it is requested that, once the Examiner is ready to take up action on this case, that he contact Applicant's undersigned representative to schedule an interview.

SUBMISSION OF INFORMATION

Applicants are submitting herewith an Information Disclosure Statement to cite a reference mentioned in the specification (mentioned as "53462" by Molex. Also being submitted herewith is a copy of an English translation of a French patent application (FR-2778295 in the name of Canon) mentioned at page 8 of the specification. To Applicant's knowledge, this application has not been published and does not have any English language counterparts. Therefore, this document is not believed to be prior art to the present application and therefore, is not being cited in an Information Disclosure Statement. Nonetheless, inasmuch as the French application is being referred to for an understanding of part of the disclosure, the English translation of that French application is being submitted herewith merely for informational purposes.

No other matters being raised, the entire application is believed to be in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Costa Mesa,
California office at (714) 540-8700. All correspondence should continue to be directed to
our below-listed address.

Respectfully submitted,

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